

JAN 20 2006

OFFICIAL COMMUNICATION FOR ENTRY

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SAN JOSE, CALIFORNIA 95110-1089
TEL: (408) 414-1080
FAX: (408) 414-1076

FACSIMILE TRANSMITTAL SHEET

TO:	Mary J. Steelman, Examiner	FROM:	Kirk D. Wong
COMPANY:	USPTO - GAU 2191	DATE:	JANUARY 20, 2006
FAX NUMBER:	(571) 273-8300	TOTAL NO. OF PAGES INCLUDING COVER:	17
PHONE NUMBER:	(571) 272-3704	SENDER'S REFERENCE NUMBER:	50325-0841
RE:	Response to Notice of Non-Compliant Amendment	U.S. SERIAL NUMBER:	10/728,370

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Attached for filing purposes is a Response to Notice of Non-Compliant Amendment and Amendment No Fee Transmittal (in duplicate) with fee authorization, if necessary.

Cordially,
Annette Jacobs,
Assistant to Kirk D. Wong

THE INFORMATION CONTAINED IN THIS FACSIMILE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

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PAGE 02/17

PTO/SB/17 (12/04)

Approved for use through 09/30/2005, OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

AMENDMENT NO FEE TRANSMITTAL for FY 2006 <i>Patent fees are subject to annual revision, Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12 See 37 C.F.R. §§ 1.27 AND 1.28</i>				Complete if Known <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>Application Number</td><td>10/728,370</td></tr> <tr><td>Filing Date</td><td>December 3, 2003</td></tr> <tr><td>First Named Inventor</td><td>Glen Darling, et al.</td></tr> <tr><td>Examiner Name</td><td>Mary J. Steelman</td></tr> <tr><td>Group/Art Unit</td><td>2191</td></tr> <tr><td>Attorney Docket No.</td><td>50325-0841</td></tr> </table>				Application Number	10/728,370	Filing Date	December 3, 2003	First Named Inventor	Glen Darling, et al.	Examiner Name	Mary J. Steelman	Group/Art Unit	2191	Attorney Docket No.	50325-0841
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TOTAL AMOUNT OF PAYMENT		(\$)		0.00															

METHOD OF PAYMENT (check one) 1. <input checked="" type="checkbox"/> Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed. Deposit Account Number: <u>50-1302</u> Deposit Account Name: <u>Hickman Palermo Thong & Becker, LLP</u> 2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other 3. <input type="checkbox"/> Applicant(s) is entitled to small entity status. See 37 CFR 1.27.	FEE CALCULATION (continued) <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="4">3. 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SUBMITTED BY Name (Print/Type) <u>Kirk D. Wong</u> Signature <u>[Signature]</u>		Registration No. (Attorney/Agent) <u>43,284</u>	Telephone <u>(408) 414-1080</u> Date <u>January 20, 2006</u>
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AMENDMENT NO FEE TRANSMITTAL for FY 2006

Patent fees are subject to annual revision,
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SB/09-12
See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT (\$)

0.00

Complete if Known

Application Number 10/728,370
Filing Date December 3, 2003
First Named Inventor Glen Darling, et al.
Examiner Name Mary J. Steelman
Group/Art Unit 2191
Attorney Docket No. 50325-0841

METHOD OF PAYMENT (check one)

1. ☒ Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Deposit Account Number 50-1302

Deposit Account Name Hickman Palermo Truong & Becker, LLP

2. ☐ Payment Enclosed:
☐ Check ☐ Money Order ☐ Other

3. ☐ Applicant(s) is entitled to small entity status. See 37 CFR 1.27.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1051	130 2051	65 Surcharge - late filing fee or osth	
1052	50 2052	25 Surcharge - late provisional filing fee or cover sheet	
1251	120 2251	60 Extension for reply within first month	
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1452	500 2452	250 Petition to revive - unavoidable	
1453	1,500 2453	750 Petition to revive - unintentional	
1501	1,400 2501	700 Utility issue fee (or reissue)	
1502	800 2502	400 Design issue fee	
1504	300 2504	300 Publication Fee	
1492	400 1492	400 Petitions Director not specifically provided for Group I	
1493	200 1493	200 Petitions Director not specifically provided for Group II	
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Other fee (specify)			
Other fee (specify)			

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1011	300 2011	150 Utility filing fee	
1111	500 2111	250 Utility Search fee	
1311	200 2311	100 Utility Examination fee	
1081	250 2081	125 Utility Application Size Fee	
1005	200 2005	100 Provisional Application Fee	
1085	250 2085	125 Provisional Application Size Fee	
SUBTOTAL (1)			(\$)

2. EXTRA CLAIM FEES

Total Claims	%	Highest Paid Claims	%	Extra Claims	%	Fee from Below	Fee Paid
20**		20**				50.00	0.00
Independent Claims	%	3**				300.00	0.00
Multiple Dependent							

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1202	50 2202	25 Claims in excess of 20	
1201	200 2201	100 Independent claims in excess of 3	
1203	360 2203	180 Multiple dependent claim, if not paid	
1204	200 2204	100 **Reissue independent claims over original patent	
1205	50 2205	25 **Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

0.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY

Name (Print/Type) Kirk D. Wong

Registration No. (Attorney/Agent) 43,284

Telephone (408) 414-1080

Signature

Date January 20, 2006

WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the

Docket No.: 50325-0841

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED
CENTRAL FAX CENTER**

Applicant(s): Glen Darling, et al.

Confirmation No.: 6391

JAN 20 2006

Application No.: 10/728,370

Group Art Unit: 2191

Filed: December 3, 2003

Examiner: Mary J. Steelman

Title: DEVELOPMENT AND BUILD
ENVIRONMENT FOR PACKAGED
SOFTWARE DELIVERY

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Via Facsimile (571) 273-8300

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

This is in response to the Notice of Non-Compliant Amendment mailed December 23, 2005, the shortened statutory period for which runs until January 23, 2006. This response is presented in the format allowed by the Notice of the Office of Patent Legal Administration issued January 31, 2003.

Amendments to the specification, claims, and Remarks, are presented on separate sheets below.